HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

Writ Petition No. 26933 of 2005

Between:

Kanduri Chinnaiah

… Petitioner.

And

Bank of India,

Rep. by its Branch Manager,

Balanagar Branch, Hyderabad.

… Respondents.

:: ORDER::

Counsel for the petitioner : Sri Raja Reddy Koneti

Counsel for the respondent : Sri Ambadipudi Satyanarayana

December 19, 2005

Per G.S. Singhvi, CJ.

This is a petition for issuance of a writ of Prohibition to restrain the respondents from auctioning land comprised in Survey No.434, situated in Kommireddypalli village, Addakal mandal, Mahaboobnagar District in pursuance of the recovery proceedings initiated under the Recovery of Debts due to Banks and Financial Institutions Act, 1993.

After arguing the case for some time, learned counsel for the petitioner made a request that his client may be permitted to withdraw the writ petition with liberty to avail other remedies including by way of filing a petition before the Recovery Officer.

Learned counsel for the respondent says that he does not have any objection.

In view of the above, the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

G.S. SINGHVI, CJ.

R. SUBHASH REDDY, J.

December 19, 2005.

MVB.